



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/013,092	12/07/2001	Diane C. Moffi	36968-262340	2348
23552	7590	04/04/2005	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903				AFSHAR, KAMRAN
ART UNIT		PAPER NUMBER		
2681				

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/013,092	MOFFI ET AL.	
	Examiner Kamran Afshar, 571-272-7796	Art Unit 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 06 December 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) _____ is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-38 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2681

DETAILED ACTION

1. The indicated allowability of claims 2-16 and 2-38 are withdrawn in view of the newly discovered reference(s) to Martensson (U.S. Patent 6,349,212 B1), Tsai (U.S. Patent 6,567,676 B1). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 5-11, 13, 15-20, 22-32, 35 & 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Martensson (U.S. Patent 6,349,212 B1).

With respect to claim 1, Martensson discloses a method of making a hands-free (i.e. without user manually dialing, voice-activated dialing, oral instructions, etc.) mobile telephone call (See e.g. Co. 2, Lines 7-18) comprising the steps of: accessing an electronic telephone directory; searching (i.e. retrieving a number in or from memory, Co. 2, Line 66 – Co. 3, Line 5) the electronic telephone directory (See e.g. Co. 4, Line 62 – Co. 5, Line 21); sending a wireless signal to select an entry in the electronic telephone directory (e.g. memory); generating an audible announcement of the entry in the electronic telephone directory; and sending a wireless signal to the mobile telephone to make the mobile telephone call (See e.g. Co. 5 Lines 22-36).

With respect to claim 2, Martensson discloses a method of making a hands-free (i.e. without user manually dialing, voice-activated dialing, oral instructions, etc.) mobile telephone call (See e.g. Co. 2, Lines 7-18) comprising the steps of: accessing an electronic telephone directory; searching the electronic telephone directory (i.e. retrieving a number in or from memory, Co. 2, Line 66 – Co. 3, Line 5); sending a signal to select an entry in the electronic telephone directory; generating an audible announcement of the

Art Unit: 2681

entry in the electronic telephone (See e.g. Co. 4, Line 62 – Co. 5, Line 21), directory; and sending a signal to the mobile telephone to make the mobile telephone call (See e.g. Co. 5 Lines 22-36), wherein a satellite remote is used to access the electronic telephone directory, to search the electronic telephone directory, to select an entry in the electronic telephone directory (See e.g. 17a, 17b, Co. 6, Lines 5-16), and to send the signal to the mobile telephone to make the mobile telephone call (See e.g. Signaling and or radio links of Figs. 1-2).

Regarding claims 5, 25, Martensson discloses the satellite remote includes a scrolling device for searching through the electronic telephone directory and sending a signal to select an entry in the electronic telephone directory (See e.g. 20, 17a, 17 b of Fig. 2, Co. 6, Lines 5-14).

Regarding claims 6, 26, Martensson discloses the satellite remote searches through the electronic telephone directory by name (See e.g. 20, 17a, 17 b of Fig. 2, Co. 6, Lines 23-39).

Regarding claims 7, 27, Martensson discloses the satellite remote searches through the electronic telephone directory by telephone number (See e.g. 20, 17a, 17 b of Fig. 2, Co. 6, Lines 23-39).

Regarding claims 8, 28, Martensson discloses the satellite remote searches through the electronic telephone directory by one entry at a time (See e.g. 20, 17a, 17 b of Fig. 2, Co. 6, Lines 23-39).

Regarding claims 9, 29, Martensson discloses the satellite remote searches through the electronic telephone directory by multiple entries at one time (See e.g. 20, 17a, 17 b of Fig. 2, Co. 6, Lines 23-39).

Regarding claim 10, Martensson discloses the multiple entries are grouped by a letter of the alphabet and the satellite remote searches through the electronic telephone directory by the letters of the alphabet (See e.g. 16 of Fig. 2, Co. 6, Lines 5-14).

Regarding claim 11, Martensson discloses the satellite remote is constructed and arranged to search through the electronic telephone directory by one entry at a time and by multiple entries at one time (See e.g. 16 of Fig. 2, Co. 6, Lines 5-21).

Regarding claims 13, 35 Martensson discloses searching the electronic telephone directory and sending a signal to select an entry in the electronic telephone directory is accomplished inherently using a radio frequency signal (See e.g. Co. 3, Line 63 – Co. 4, Lines 6).

Regarding claim 15, Martensson discloses answering an incoming mobile telephone call using the satellite remote (See e.g. Co. 2, Lines 60-63, 27 of Fig. 2, Co. 6, Lines 5-14).

Regarding claim 16, Martensson discloses activate a call-waiting feature using the satellite remote.

Regarding claims 17, 23 Martensson discloses accessing the electronic telephone directory comprises accessing an electronic telephone directory in the mobile telephone (See e.g. Co. 2, Lines 24-34, Co. 3, Lines 2-6).

Regarding claims 18, 24 Martensson accessing an electronic telephone directory in an external memory system (See e.g. Memory 15 of Figs-1-2).

Regarding claims 19, 20, 31-32, Martensson generating an audible announcement of the entry in the electronic telephone directory includes using a speaker or earphone to permit a user to hear the audible announcement and / or announcing a party to be called (See e.g. Speaker 5 of Fig. 5, 6 of Fig. 1, Co. 3, Lines 49-58).

Regarding claim 30, Martensson discloses the scrolling device is constructed and arranged to search through the telephone directory by one entry at a time (See e.g. 20, 17a, 17 b of Fig. 2, Co. 6, Lines 23-39) and the satellite remote further includes means for searching through the telephone directory by multiple entries at one time (See e.g. 16 of Fig. 2, Co. 6, Lines 5-21).

With respect to claim 22, Martensson discloses a mobile communications system (See e.g. Co. 2, Lines 7-18, Figs. 1-2) comprising: an electronic telephone directory; a satellite remote having (See e.g. 17a, 17b, Co. 6, Lines 5-16) at least one means for scrolling through the electronic telephone directory (See e.g. Co. 4, Line 62 – Co. 5, Line 21); means for audibly announcing a party to be called; and means for sending a signal from the satellite remote to the mobile telephone (See e.g. Co. 5 Lines 22-36).

With respect to claim 38, Martensson discloses a mobile communications system (See e.g. Co. 2, Lines 7-18, Figs. 1-2) comprising: an electronic telephone directory; a satellite remote having (See e.g. 17a, 17b, Co. 6, Lines 5-16) a scroll wheel for scrolling through the electronic telephone directory (See e.g. Co. 4, Line 62 – Co. 5, Line 21); an electronic voice generator for audibly announcing a party to be

Art Unit: 2681

called; and a button for sending a signal from the satellite remote to the mobile telephone (See e.g. Co. 5 Lines 22-36).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 3-4, 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martensson (U.S. Patent 6,349,212 B1) in view of Tsai (U.S. Patent 6,567,676 B1).

With respect to claims 3-4, Martensson discloses everything as discussed above in claims 1-2, 22. However, Martensson did not teach the satellite remote comprises a pad that is located on a steering wheel of a motor vehicle and / or a user may operate the satellite remote using the user's foot. In the same field of endeavor, Tsai discloses a dial communication system of a steering wheel of an automobile (See e.g. Title, Abstract, Figs. 1-4, Co. 2, Lines 15-22). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Tsai to Martensson to provide a dial communication device is installed on the steering wheel whereby the driver can hold the steering wheel, and can press the press buttons and the control button synchronously so as to perform the dial function (See e.g. Co. 1, Lines 42-47). The motivation comes from Tsai so that the driver's hand does not have to leave the steering wheel for performing the dial function, thereby greatly enhancing the safety of the driver during driving the steering wheel and or the vehicle (See e.g. Co. 2, Lines 47-50).

Regarding claim 36, Tsai discloses the means for sending a signal from the satellite remote to the mobile telephone comprises a wire connecting the cradle and the satellite remote (See e.g. 26, 21, 30-33, & 40 Of Fig. 4, Co. Co. 2, Line 61 – Co. 3, Line 15).

Regarding claim 37, Tsai discloses a cradle for holding the mobile telephone and receiving the signal from the satellite remote (See e.g. 26, 21, 30-33, & 40 Of Fig. 4, Co. Co. 2, Line 61 – Co. 3, Line 15).

Art Unit: 2681

6. Claims 12, 14, 21, 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martensson (U.S. Patent 6,349,212 B1) in view of Stanley (U.S. Pub. No.: 2002/0068605 A1).

With respect to claims 12, 34, Martensson discloses everything as discussed above in claims 1-2, 22. However, Martensson was silent teaching if the sending a signal to select an entry in the electronic telephone directory is accomplished using an infrared signal. In the same field of endeavor, Stanley discloses sending a signal to select an entry in the electronic telephone directory is accomplished using an infrared signal (See e.g. initiate dialing sequence using RF signal, direct wired and or infrared connection, Page 4, Paragraph [0060]). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Stanley to Martensson to provide a Mechanical user interface used in a motor vehicle, using RF signal, direct wired and or infrared connection for initiating dialing sequence (See e.g. Page 4, Paragraph [0060]). The Motivation comes from Stanley for maintaining a two-handed grip on the steering wheel and visual attention to the road (See e.g. Page 1, Paragraph [0008]).

Regarding claim 14, Stanley discloses wire connecting the satellite remote (See e.g. MUI of Fig. 1, Page 3, Paragraph [0036]) and the mobile telephone (See e.g. Page 2, Paragraph [00018]).

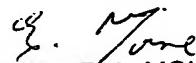
Regarding claims 21, 33, Stanley discloses speaker or earphone to permit a user to hear the audible announcement (See e.g. Page 5, Page 2, Paragraphs [0018], [0021], Page 3, Paragraph [0047], Page 5, Paragraph [0064]).

Conclusion

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kamran Afshar whose telephone number is (703) 305-7373. The examiner can be reached on Monday-Friday.

If attempts to reach the examiner by the telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached @ (571) 272-3865. The fax number for the organization where this application or proceeding is assigned is (571) 272-7796 for all communications.

Kamran Afshar 


EMMANUEL L. MOISE
PRIMARY EXAMINER